

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

UNITED STATES OF AMERICA,)	
)	
v.)	CAUSE NO.: 2:08-CR-00046-RL
)	
RODELL A. WALKER,)	
Defendant.)	

**FINDINGS AND RECOMMENDATION OF THE MAGISTRATE JUDGE
UPON A PLEA OF GUILTY BY DEFENDANT RODELL A. WALKER**

TO: THE HONORABLE RUDY LOZANO, JUDGE,
UNITED STATES DISTRICT COURT

Upon Defendant Rodell A. Walker's request to enter a plea of guilty pursuant to Rule 11 of the Federal Rules of Criminal Procedure, this matter came for hearing before Magistrate Judge Paul R. Cherry, on July 31, 2008, with the consent of Defendant Rodell A. Walker, counsel for Defendant Rodell A. Walker, and counsel for the United States of America.

The hearing on Defendant Rodell A. Walker's plea of guilty was in full compliance with Rule 11, Federal Rules of Criminal Procedure, before the Magistrate Judge in open court and on the record.

In consideration of that hearing and the statements made by Defendant Rodell A. Walker under oath on the record and in the presence of counsel, the remarks of the Assistant United States Attorney and of counsel for Defendant Rodell A. Walker,

I FIND as follows:

(1) that Defendant Rodell A. Walker understands the nature of the charge against him to which the plea is offered;

(2) that Defendant Rodell A. Walker understands his right to trial by jury, to persist in his plea of not guilty, to the assistance of counsel at trial, to confront and cross-examine adverse witnesses, and his right against compelled self-incrimination;

(3) that Defendant Rodell A. Walker understands what the maximum possible sentence is, including the effect of the supervised release term, and Defendant Rodell A. Walker understands that the sentencing guidelines apply and that the Court may depart from those guidelines under some circumstances;

(4) that the plea of guilty by Defendant Rodell A. Walker has been knowingly and voluntarily made and is not the result of force or threats or of promises;

(5) that Defendant Rodell A. Walker is competent to plead guilty;

(6) that Defendant Rodell A. Walker understands that his answers may later be used against him in a prosecution for perjury or false statement;

(7) that there is a factual basis for Defendant Rodell A. Walker's plea; and further,

I RECOMMEND that the Court accept Rodell A. Walker's plea of guilty to the offense charged in Count I of the Indictment and that Defendant Rodell A. Walker be adjudged guilty of the offense charged in Count I of the Indictment and have sentence imposed. A Presentence Report has been ordered. Should this Report and Recommendation be accepted and Defendant Rodell A. Walker be adjudged guilty, sentencing will be set at a later date in the Hammond Division before Judge Rudy Lozano. Objections to the Findings and Recommendation are waived unless filed and served within ten (10) days. *See* 28 U.S.C. § 636(b)(1)(B).

So ORDERED this 31st day of July, 2008.

s/ Paul R. Cherry
MAGISTRATE JUDGE PAUL R. CHERRY
UNITED STATES DISTRICT COURT

cc: All counsel of record
Honorable Rudy Lozano